

FEB 09 2015

JULIA G. COOLEY, CLERK
BY:
DEPUTY CLERK
D. Taylor

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

UNITED STATES OF AMERICA,

) CASE NO. 7:06CR00007-1
) (CASE NO 7:14-cv-80800)

)

) FINAL ORDER

)

JAMAL EDWARD CRUMP,

) By: Hon. Glen E. Conrad

Defendant.

) Chief United States District Judge

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that defendant's submission titled "Motion to Dismiss Pursuant to F.R.Cv.P. 12(h)(3) – Lack of Subject-matter Jurisdiction" (ECF No. 98) is **DENIED** for lack of merit; the submission is **CONSTRUED** as a motion to vacate, set aside or correct the sentence, pursuant to 28 U.S.C. § 2255, and the clerk is **DIRECTED** to docket it as such; this § 2255 motion is hereby **DISMISSED** as successive under § 2255(h), and this action is stricken from the active docket of the court. Based upon the court's finding that the defendant has not made the requisite showing of denial of a substantial right, a certificate of appealability is **DENIED**.

ENTER: This 9th day of February, 2015.

Glen Conrad

Chief United States District Judge